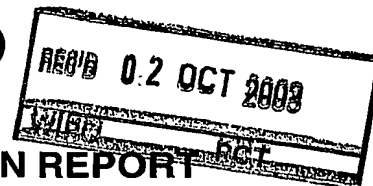


PCT



INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)



| | | |
|---|--|--|
| Applicant's or agent's file reference 005091-0001 | FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/PEA/416) | |
| International application No. PCT/CA02/00041 | International filing date (day/month/year) 14.01.2002 | Priority date (day/month/year) 14.01.2002 |
| International Patent Classification (IPC) or both national classification and IPC E06B3/96 | | |
| Applicant FENEGLOBE SYSTEMS LIMITED et al. | | |

| | |
|----|---|
| 1. | This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36. |
| 2. | This REPORT consists of a total of 4 sheets, including this cover sheet. <input type="checkbox"/> This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT). These annexes consist of a total of sheets. |
| 3. | This report contains indications relating to the following items: I <input checked="" type="checkbox"/> Basis of the opinion II <input type="checkbox"/> Priority III <input type="checkbox"/> Non-establishment of opinion with regard to novelty, inventive step and industrial applicability IV <input type="checkbox"/> Lack of unity of invention V <input checked="" type="checkbox"/> Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement VI <input type="checkbox"/> Certain documents cited VII <input type="checkbox"/> Certain defects in the international application VIII <input type="checkbox"/> Certain observations on the international application |

| | |
|---|---|
| Date of submission of the demand 14.07.2003 | Date of completion of this report 30.09.2003 |
| Name and mailing address of the international preliminary examining authority:  European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tx: 523656 epmu d Fax: +49 89 2399 - 4465 | Authorized Officer Knerr, G Telephone No. +49 89 2399-2446  |

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT**

International application No. **PCT/CA02/00041**

I. Basis of the report

1. With regard to the **elements** of the international application (*Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17)*):

Description, Pages

1-18 as originally filed

Claims, Numbers

1-50 as originally filed

Drawings, Sheets

1/4-4/4 as originally filed

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is:

- ☐ the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).
☐ the language of publication of the international application (under Rule 48.3(b)).
☐ the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
☐ filed together with the international application in computer readable form.
☐ furnished subsequently to this Authority in written form.
☐ furnished subsequently to this Authority in computer readable form.
☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

- ☐ the description, pages:
☐ the claims, Nos.:
☐ the drawings, sheets:

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT**

International application No. **PCT/CA02/00041**

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)).
(Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.)

6. Additional observations, if necessary:

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

| | | |
|-------------------------------|-------------|------|
| Novelty (N) | Yes: Claims | 1-50 |
| | No: Claims | |
| Inventive step (IS) | Yes: Claims | 1-50 |
| | No: Claims | |
| Industrial applicability (IA) | Yes: Claims | 1-50 |
| | No: Claims | |

2. Citations and explanations

see separate sheet

Re Item V

Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. The closest prior art is described in document D1 = US-6067760 showing a corner key for connecting two profiles together, comprising corner faces and tabs as mentioned in claim 1.

From this known corner key the subject-matter of claim 1 differs in that in the latter

- the bores for the fasteners extend between the outer corner faces and the inner corner faces and
- a drainage and venting passage is provided

Thus the subject-matter of claim 1 is novel (Art.33 PCT).

2. The problem to be solved by the present invention can be regarded as providing measures to preclude water and air leakages.
3. This problem is solved by the above-cited features mentioned in claim 1. The combination of these features with those known from D1 is not rendered obvious by the available prior art as cited in the International Search Report, thus the subject-matter of claim 1 is considered as involving an inventive step (Art.33 PCT). The same applies to independent claim 26 concerning a frame work assembly comprising such a corner key, as well as to dependent claims 2 to 25 and 27 to 50, concerning particular embodiments of the corner key or the frame assembly, respectively.
4. Independent claims 1 and 26 are not in the two-part form in accordance with Rule 6.3(b) PCT, which in the present case would be appropriate, with those features known in combination from the prior art (document D1) being placed in the preamble (Rule 6.3(b)(i) PCT) and with the remaining features being included in the characterising part (Rule 6.3(b)(ii) PCT).
5. The features of the claims are not provided with reference signs placed in parentheses (Rule 6.2(b) PCT).